



SO ORDERED.

SIGNED this 13th day of February, 2020.


LENA MANSORI JAMES
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION

IN RE:)	
)	
BUTLER SPECIATIES, INC., T/A)	CASE NO. 19-50417
BUTLERBUILT MOTORSPORTS)	
EQUIPMENT INC.)	Chapter 11
)	
Debtor.)	

AMENDED ORDER ESTABLISHING DEADLINE TO FILE ADMINISTRATIVE
EXPENSE CLAIMS FOR UNPAID POSTPETITION DEBTS
FOLLOWING CONVERSION OF CASE

IT APPEARS that the above debtor ("Debtor") filed a voluntary petition seeking relief under chapter 11 of the United States Bankruptcy Code ("Bankruptcy Code") on April 23, 2019, and an order was entered on January 27, 2020 converting this case to a case under chapter 7 of the Bankruptcy Code, and

IT FURTHER APPEARS that Debtor has filed an amended schedule of unpaid postpetition debts incurred by the bankruptcy estate prior to the conversion of this case, a copy of which is attached hereto as **Exhibit A** ("Amended Schedule of Unpaid Debts").

WHEREFORE, IT IS ORDERED that any creditor that desires to assert a claim for an unpaid postpetition debt listed in the Amended Schedule of Unpaid Debts shall file a proof of claim for such debt on or before June 4, 2020. To the extent that any creditor asserts that its postpetition claim is entitled to administrative priority, the creditor shall mark the proof of claim "Cost of Administration." All postpetition claims shall include supporting documentation and shall be filed with the Clerk's Office at 101 S. Edgeworth Street, Greensboro, NC 27401; and

IT IS FURTHER ORDERED that any creditor who fails to file a proof of claim for an unpaid postpetition debt listed in the Amended Schedule of Unpaid Debts by the above deadline shall be barred from asserting such claim against the estate, and the chapter 7 trustee and the estate shall be forever discharged from all liability with respect to that unpaid postpetition debt.

END OF DOCUMENT

Exhibit A

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION

IN RE:

BUTLER SPECIALTIES, INC., T/A
BUTLERBUILT MOTORSPORTS
EQUIPMENT, INC.,

Debtor.

Case No. 19-50417
Chapter 7

Amended Schedule of Unpaid Debts

NOW COMES Butler Specialties, Inc., T/A ButlerBuilt Motorsports Equipment, Inc. (the “Debtor”), by and through counsel, and produces a list of creditors holding potential claims against the estate that were incurred from the Petition Date (April 23, 2019) through the date this case was converted to Chapter 7 (January 27, 2020).

Upon information and belief, there are no remaining post-petition unpaid debts except the following. With regard to the professional fees and expenses, fee applications may be filed by each claimant prior to the deadline set forth in the Order Directing Debtors to File Reports and Setting Time for Filing of Applications for Allowance of Compensation (Doc. #233 filed on January 27, 2020).

CLAIMANT		AMOUNT
United States Bankruptcy Court Middle District of North Carolina	Quarterly fees for the period from October 1, 2019 to December 31, 2019 and January 2020	\$5,200.00
Nardone Law Firm, PLLC 241 Church St. NE Concord, NC 28025	Counsel for Debtor – professional fees and expenses incurred prior to conversion and approved by the Court but not paid (subject to Doc. #227)	\$7,752.94
UPS PO Box 7247-0244 Philadelphia, PA 19170-0001	Shipping services allegedly provided to the Debtor during the Chapter 11 proceeding	\$8,337.79 ¹

¹ Amount unverified by the Debtor.

RESPECTFULLY SUBMITTED this the 12th day of February 2020.

/s/ Kristen S. Nardone
KRISTEN S. NARDONE
Attorney for Debtor
NC Bar No. 28063

Fill in this information to identify the case:

Debtor 1 _____

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: _____ District of _____

Case number _____

Official Form 410**Proof of Claim - Cost of Administration Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim**1. Who is the current creditor?**

Name of the current creditor (the person or entity to be paid for this claim) _____

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?
☐ No

☐ Yes. From whom? _____
3. Where should notices and payments to the creditor be sent?**Where should notices to the creditor be sent?****Where should payments to the creditor be sent? (if different)**

Federal Rule of
Bankruptcy Procedure
(FRBP) 2002(g)

Name _____

Name _____

Number _____ Street _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

City _____ State _____ ZIP Code _____

Contact phone _____

Contact phone _____

Contact email _____

Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?
☐ No

☐ Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?
☐ No

☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ ____ ____ ____
7. How much is the claim?	\$ _____. Does this amount include interest or other charges? <input type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8. What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. _____
9. Is all or part of the claim secured?	<input type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____ Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) Value of property: \$ _____ Amount of the claim that is secured: \$ _____ Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.) Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable
10. Is this claim based on a lease?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☐ No

☐ Yes. *Check one:*

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____
MM / DD / YYYY

Signature

Print the name of the person who is completing and signing this claim:

Name _____
First name Middle name Last name

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____
Number Street

City State ZIP Code

Contact phone _____ Email _____

PARTIES TO BE SERVED

Nardone Law Firm, PLLC
241 Church St. NE
Concord, NC 28025

William P. Miller
Bankruptcy Administrator
101 S. Edgeworth Street
Greensboro, NC 27401

Daniel C. Bruton
Bell, Davis & Pitt, P.A.
PO Box 21029
Winston-Salem, NC 27120

Butler Specialties, Inc., T/A
Butlerbuilt Motorsports Equipment, Inc.
PO Box 1270
Harrisburg, NC 28075

UPS
PO Box 7247-0244
Philadelphia, PA 19170-0001